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EXAMINER

VEZERIS, JAMES A

ART UNIT

PAPER NUMBER

3693

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/613,534	<b>Applicant(s)</b> SCUMNIOTALES ET AL.	
	<b>Examiner</b> JAMES A. VEZERIS	<b>Art Unit</b> 3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 7/3/2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 23-100 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 23-100 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/10/2008</u> .   | 6) <input type="checkbox"/> Other: _____                          |

### **Detailed Action**

#### **Restriction Response**

1. Applicant's election with traverse of claims 23-31 in the reply filed on 12/27/2007 is acknowledged. The traversal is on the ground(s) that claims 23-31 teach the same system as stated in claims 82-100. This is found persuasive and the examiner agrees to join claims 23-31 into Group II.

#### **Specification Objections**

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

**Claim Rejections- 35 U.S.C. 112 2<sup>nd</sup> Paragraph**

3. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Examiner notes that in claim one the applicant claims, "at least two object instances representing data from different categories of investments." It is unclear if the applicant is trying to claim "at least two object instances representing data from different categories" or if they are trying to explain that at least two object instances are instantiated. The examiner will review the claim with the former reasoning.
4. Claims 42, 72, and 91 recites the limitation "Child object" and "Parent object". There is insufficient antecedent basis for this limitation in the claim. The independent claim they stem from does not contain child or parent objects. Examiner notes that many other claims have the same antecedent problem.
5. Claims 41, 71, and 90 recite the limitation "datasheet". There is insufficient antecedent basis for this limitation in the claim.

**Claim Rejections 35 U.S.C. 102(e)**

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. Claims 23-100 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 6,954,761 to Azuma (Hereinafter "Azuma").

**Regarding Claim 23.**

Azuma teaches managing and analyzing enterprise portfolio data, comprising:  
a portfolio manager component that is structured to add to a portfolio representation structure items that correspond to transactions on the portfolio data;  
(See Col 5 lines 38-52)

a portfolio analyzer component that is structured to present a plurality of views of the portfolio data as represented by the portfolio representation structure, wherein the views dynamically calculate and present multi-dimensional characterizations of the portfolio data while items are added using the portfolio manager. (See Col 6 Lines 23-49)

**Regarding Claim 24.**

Azuma further teaches the portfolio data is from heterogeneous data sources that store data in a plurality of formats. (See Col 5 lines 38-52)

**Regarding Claim 25.**

Azuma further teaches the portfolio data represents investments from distinctive parts of an organization. (See Col 5 lines 38-52)

**Regarding Claim 26.**

Azuma further teaches the organization parts include at least two of management, marketing, sales, product management, manufacturing, research, development, IT, finance, operations, consulting, engineering, and human resources. (See Col 5 lines 38-52)

**Regarding Claim 27.**

Azuma further teaches the portfolio data includes financial investments and project management characterizations. (See Col 5 lines 38-52)

**Regarding Claim 28.**

Azuma further teaches the plurality of views includes at least one dimensioned attribute. (See Col 5 lines 38-52, Figs 20a-c)

**Regarding Claim 29.**

Azuma further teaches the dimensioned attribute includes at least two of actual value, baseline value, plan value, target value, and scenario value. (See Col 5 lines 38-52, Fig 20a-c)

**Regarding Claim 30.**

Azuma further teaches:  
a meta-object data management system for managing the portfolio representation structure. (See Col 1 Lines 19-52)

**Regarding Claim 31.**

Azuma further teaches the structure is hierarchical. (See Col 1 Lines 19-52)

**Regarding Claims 32, 63, and 82.**

Azuma teaches representing, managing, and analyzing investments of an organization, comprising:

instantiating a hierarchy of object instances, each object instance representing an investment of the organization, at least two object instances representing data from different categories of investments; (See Col 5 Lines 39-52)

receiving a request to display data from a plurality of the object instances according to an attribute specification; and (See Col 6 Lines 23-49)

displaying the object instances of the plurality of object instances that match the attribute specification, in a manner that is in accordance with the attribute specification, so that multi-dimensional views of the matching objects are computed and displayed dynamically. (See Col 6 Lines 23-49)

**Regarding Claims 33, 64, and 83.**

Azuma further teaches supporting changes to the hierarchy of object instances while displaying the object instances that match the attribute specification, thereby concurrently allowing online transaction processing while supporting online analysis. (See Col 6 Lines 23-49)

**Regarding Claims 34, 65, and 84.**

Azuma further teaches the request to display data according to an attribute specification is received as properties of a datasheet associated with an object instance

in the hierarchy. (See Col 6 Lines 23-49)

**Regarding Claims 35, 66, and 85.**

Azuma further teaches each object instance having constituent attributes with associated values, wherein the displaying of the object instances that match the attribute specification further comprises:

determining from each matching object instance the constituent attributes and associated values; (See Col 6 Lines 23-49)

dynamically constructing a virtual object instance to represent each aggregation of matching objects that is not already an instantiated object; (See Col 6 Lines 23-49)

displaying the constructed virtual objects along with the matching object instances. (See Col 6 Lines 23-49)

**Regarding Claims 36, 67, and 86.**

Azuma further teaches each virtual object instance automatically aggregates appropriate attributes of children object instances and children virtual object instances. (See Col 6 Lines 23-49)

**Regarding Claims 37, 68, and 87.**

Azuma further teaches at least one of the aggregated attributes represents time-phased data values. (See Col 6 Lines 23-49)

**Regarding Claim 38.**

Azuma further teaches the attributes of the children instances specify whether they are to be aggregated to a parent virtual object instance. (See Col 6 Lines 23-49)

**Regarding Claims 39, 69, and 88.**

Azuma further teaches a value associated with at least one attribute is a dimensioned value. (See Col 6 Lines 23-49)

**Regarding Claims 40, 70, and 89.**

Azuma further teaches the dimensioned value comprises at least two of actual value, baseline value, plan value, target value, and scenario value. (See Fig 20a-c)

**Regarding Claims 41, 71, and 90.**

Azuma further teaches the datasheet defines a dynamically created multi-dimensional view of the instantiated object hierarchy that is not previously stored in the computer system. (See Col 6 Lines 23-49; Fig 20a-c))

**Regarding Claims 42, 72, and 91.**

Azuma further teaches each child object instance of a parent object instance represents a relationship whereby the investment associated with the parent object instance is an aggregation of the child object instances associated with the parent object instance. (See Col 6 Lines 23-49)

**Regarding Claims 43, 73, and 92.**

Azuma further teaches the investments are part of an enterprise portfolio management system. (See Col 5 Lines 39-52)

**Regarding Claim 44.**

Azuma further teaches the investments comprise heterogeneous data types in the form of at least two of financial investments, project management, collections of projects, programs, assets, human resources, products, portfolios, initiatives,

applications, operations, processes, and activities. (See fig 20a-c)

**Regarding Claim 45.**

Azuma further teaches the enterprise portfolio management system managing enterprise portfolios, wherein the enterprise portfolios comprise at least two of engineering, marketing, product management, manufacturing, sales, information technology, finance, human resources, research, development, and professional services portfolios. (See fig 20a-c; Col 5 Lines 39-52)

**Regarding Claims 46, 74, and 93.**

Azuma further teaches the investments include time-phased data. (Col 9 Lines 14-31)

**Regarding Claims 47, 75, and 94.**

Azuma further teaches the time-phased data is stored in a manner that indicates a first designated time period in a virtual object instance and is stored in a manner that indicates a second designated time period in the object instances that are children of the virtual object instance that stores the time-phased data. (See Fig 17; Col 9 Lines 14-37)

**Regarding Claim 48.**

Azuma further teaches the first designated time period is at least one of weekly, monthly, quarterly, and annually. (See Fig 17; Col 9 Lines 14-37)

**Regarding Claim 49.**

Azuma further teaches the second designated time period is at least one of daily and hourly. (See Fig 17; Col 9 Lines 14-37)

**Regarding Claim 50.**

Azuma further teaches the second designated time period is a custom defined range. (See Fig 17; Col 9 Lines 14-37)

**Regarding Claim 51.**

Azuma further teaches the first designated time period is a custom defined range. (See Fig 17; Col 9 Lines 14-37)

**Regarding Claims 52, 76, and 95.**

Azuma further teaches a change to time-phased data of a virtual object instance is automatically reflected in changes to object instances that are children of the virtual object instance in which the change occurred. (See Fig 17; Col 9 Lines 14-37)

**Regarding Claims 53, 77, and 96.**

Azuma further teaches the object instances of the plurality that match the attribute specification is filtered based upon a security role associated with the request. (See Col 6 Lines 23-49)

**Regarding Claims 54, 78, and 97.**

Azuma further teaches:  
indicating that the request to display data according to the attribute specification is to be applied to a different plurality of object instances of the hierarchy; (See Col 6 Lines 23-49)

automatically modifying the display of the object instances to include object

instances from the different plurality that match the attribute specification. (See Col 6 Lines 23-49)

**Regarding Claim 55.**

Azuma further teaches the indication is to copy the request and the display of object instances includes the object instances from the plurality that match the attribute specification in addition to objects instances from the different plurality. (See Col 6 Lines 23-49)

**Regarding Claim 56.**

Azuma further teaches the indication is to move the request and the object instances from the plurality that match the attribute specification are removed from the display unless the object instances from the plurality that match are also instances of the different plurality. (See Col 6 Lines 23-49)

**Regarding Claims 57, 79, and 98.**

Azuma further teaches each object instance having constituent attributes with associated values, further comprising:

associating a chart definition with the request to display data according to the attribute specification, the chart definition having an associated set of chart parameters; (See Col 6 Lines 23-49)

automatically determining values for the associated chart parameters based upon the constituent attributes of the object instances that match the attribute specification. (See Col 6 Lines 23-49; fig 20a-c)

**Regarding Claims 58, 80, and 99.**

Azuma further teaches:

presenting a chart that corresponds to the chart definition, such that the values displayed by the chart are automatically determined from the values associated with the constituent attributes of the object instances that match the attribute specification. (See Col 6 Lines 23-49; fig 20a-c, Fig 19)

**Regarding Claims 59, 81, and 100.**

Azuma further teaches:

associating the chart definition with a request to display data from a different plurality of object instances according to a second attribute specification; (See Col 6 Lines 23-49; Fig 19)

automatically re-determining the values for the associated chart parameters based upon the constituent attributes of the object instances from the different plurality that match the second attribute specification. (See Col 6 Lines 23-49; Fig 19)

**Regarding Claim 60.**

Azuma further teaches the second attribute specification is the same as the attribute specification. (See Col 6 Lines 23-49; Fig 19)

**Regarding Claim 61.**

Azuma further teaches the chart definition is moved. (See Col 6 Lines 23-49; Fig 19)

**Regarding Claim 62.**

Azuma further teaches the chart definition is copied. (See Col 6 Lines 23-49; Fig 19)

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES A. VEZERIS whose telephone number is (571)270-1580. The examiner can normally be reached on Monday-alt. Fridays 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on 571-272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James A. Kramer/  
Supervisory Patent Examiner, Art Unit 3693

/JAMES A VEZERIS/  
Examiner, Art Unit 3693

March 17, 2008